



Entered on Docket
June 17, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Marlton Square Loan**

Hearing Date: June 14, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Marlton Square Loan ("Marlton Square Loan") [DE 8344] (the "Objection"); the Court having heard the Objection on June 14, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to repayment by the

1 borrower or from the collateral securing the Marlton Square Loan; and good cause
2 appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8344] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed in their entirety
6 since those claims are based entirely upon an investment in the Marlton Square Loan.
7

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**
10

11 By /s/ John Hinderaker
12 Robert M. Charles, Jr.
13 John Hinderaker (*pro hac vice*)
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker.
Attorneys for USACM Liquidating Trust

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**USACM Trust
Marlton Square
Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Marlton Square Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Marlton Square Loan
10725-00657	10/23/2006	Reeves, William S	2930 E Serene Ave Henderson, NV 89074-6536	50,000.00	50,000.00
10725-01782	12/13/2006	Rehberger Family Trust Dtd 6/17/92	Annemarie Rehberger Trustee PO Box 3651 Incline Village, NV 89450	50,000.00	50,000.00
10725-01754	12/26/2006	Rocklin/Redding Llc	Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Ln Reno, NV 89509	225,000.00	225,000.00
10725-00323	9/29/2006	SB Wright Family Trust Dtd 12/28/94	Melvin B & Susan D Wright Teees 3983 S Mccarran Blvd Reno, NV 89502-7510	746.52	746.52
10725-01126	11/9/2006	Shelley Wike Cranley Trustee	Shelley W Cranley 174 Mont Blanc Way Las Vegas, NV 89124-9122	200,000.00	200,000.00
10725-00194	9/8/2006	Simon Family Trust	Trustee Of The Simon Family Trust 15517 Oakstand Ct Poway, CA 92064	507,465.28	507,465.28

EXHIBIT A

2361253.1

**USACM Trust
Marlton Square
Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Marlton Square Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Marlton Square Loan
10725-00737	10/26/2006	Steven Anthony Fontana Trust Dtd 6/28/02	C/O Steven Anthony Fontana Tee 262 Violet Note St Henderson, NV 89074-8900	86,000.00	86,000.00
10725-01498	11/29/2006	Swilley, Louis	4314 Dickson St Houston, TX 77007	16,377.74	16,377.74
10725-00685	10/20/2006	Ward, Gary D IRA	26077 Charing Cross Rd Valencia, CA 91355-2029	75,000.00	75,000.00
10725-02360	1/16/2007	What's On Limited Partnership	2013 Grouse St Las Vegas, NV 89134	200,000.00	100,000.00
10725-01447	11/14/2006	Zoe Brown 1989 Family Trust	Zoe Brown Tee C/O Scott D Fleming, Esq. Hale Ln Peek Den. & How. 3930 Howard Hughes Pkwy Las Vegas, NV 89169	50,000.00	50,000.00

EXHIBIT A

2361253.1